

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JUAN CARBUCCIA, and
MANUEL PEREZ,

Defendants.

INDICTMENT

23 Cr.

23 CRIM 494

COUNT ONE

(Conspiracy to Commit Mail Theft and Possession of Stolen Mail)

The Grand Jury charges:

1. In or about July 2023, in the Southern District of New York and elsewhere, JUAN CARBUCCIA and MANUEL PEREZ, the defendants, and others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to commit an offense against the United States, to wit, theft and possession of stolen mail matter, in violation of Title 18, United States Code, Section 1708.

2. It was a part and object of the conspiracy that JUAN CARBUCCIA and MANUEL PEREZ, the defendants, and others known and unknown, knowingly stole, took, and abstracted, and by fraud and deception obtained, and attempted so to obtain, from and out of the mail, a post office, and a station thereof, a letter box, a mail receptacle, and a mail route and other authorized depository for mail matter, and from a letter and mail carrier, a letter, postal card, package, bag, and mail, and abstracted and removed from such letter, package, bag, and mail, an article and thing contained therein, and secreted, embezzled, and destroyed such letter, postal card, package, bag, and mail, and an article and thing contained therein, and stole, took, and abstracted, and by fraud and deception obtained a letter, postal card, package, bag, and mail, and an article and thing

contained therein which had been left for collection upon and adjacent to a collection box and other authorized depository of mail matter, and bought, received, and concealed, and unlawfully had in his/her possession, a letter, postal card, package, bag, and mail, and an article and thing contained therein, which had been so stolen, taken, embezzled, and abstracted, knowing the same to have been stolen, taken, embezzled, and abstracted, to wit, CARBUCCIA and PEREZ agreed to and did steal mail from a mailbox in New York, New York, in violation of Title 18, United States Code, Section 1708.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about July 25, 2023, JUAN CARBUCCIA and MANUEL PEREZ, the defendants, and a co-conspirator ("CC-1"), approached United States Postal Service ("USPS") mailboxes with intent to steal mail.

b. On or about July 25, 2023, CC-1 drove a vehicle in which CARBUCCIA and PEREZ were passengers to multiple USPS mailboxes, and such vehicle contained stolen mail, stolen checks, and instruments used and intended to be used to steal mail.

c. On or about July 25, 2023, CARBUCCIA, PEREZ, and CC-1 possessed instruments used and intended to be used to steal mail.

(Title 18, United States Code, Section 371.)

COUNT TWO
(Mail Theft and Possession of Stolen Mail)

The Grand Jury further charges:

4. On or about July 25, 2023, in the Southern District of New York and elsewhere, JUAN CARBUCCIA and MANUEL PEREZ, the defendants, knowingly stole, took, and abstracted, and by fraud and deception obtained, and attempted so to obtain, from and out of the mail, a post office, and a station thereof, a letter box, a mail receptacle, and a mail route and other authorized depository for mail matter, and from a letter and mail carrier, a letter, postal card, package, bag, and mail, and abstracted and removed from such letter, package, bag, and mail, an article and thing contained therein, and secreted, embezzled, and destroyed such letter, postal card, package, bag, and mail, and an article and thing contained therein, and stole, took, and abstracted, and by fraud and deception obtained a letter, postal card, package, bag, and mail, and an article and thing contained therein which had been left for collection upon and adjacent to a collection box and other authorized depository of mail matter, and bought, received, and concealed, and unlawfully had in their possession, a letter, postal card, package, bag, and mail, and an article and thing contained therein, which had been so stolen, taken, embezzled, and abstracted, knowing the same to have been stolen, taken, embezzled, and abstracted, to wit, CARBUCCIA and PEREZ attempted to steal, stole, and possessed stolen mail in New York, New York.

(Title 18, United States Code, Sections 1708 and 2.)

FORFEITURE ALLEGATIONS

5. As a result of committing the offenses alleged in Counts One and Two of this Indictment, JUAN CARBUCCIA and MANUEL PEREZ, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived

from proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

Substitute Assets Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

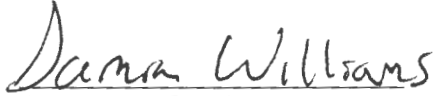
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON

21 Sept. 2023


DAMIAN WILLIAMS
United States Attorney